

## FWP Interim Wolf Guidelines for Coordinated Agency Response and Activities by Private Citizens to Address Wolf-Livestock Conflicts and Ensure Human Safety

Type of Action	Example	Regulatory Authorization and Conditions	Montana State Plan and Final Environmental Impact Statement, Previous Federal Regulations, and Montana Code Annotated
<b>Self Defense</b> of self/others; OR agency determines that wolf is a demonstrable, but non-immediate threat to human life or safety	If a wolf is attacking a human; proactively by agency if wolf exhibited aggressive behavior or previously fed by humans and frequenting campgrounds	Don't disturb carcass  Notify FWP within 72 hours; carcass retained by FWP	Upon delisting MCA 87-3-130 allows people to kill wolf if wolf is "attacking, killing, or threatening to kill" a person; acceptable on public or private land regardless of the number of breeding pairs  Wolf must be "attacking or killing" a domestic dog prior to take; herding/guarding dogs treated as livestock (see below); NOTE – MCA is more restrictive than recently expired federal 10j regulations  FWP to discourage habituation and food conditioning; will remove wolves threatening human safety  FWP will work w/ local authorities when hybrids /captives at large
<b>Opportunistic Harassment</b> , by private citizens, FWP, WS  (non-injurious and non-lethal)	Scaring wolf by yelling, shooting gun in the air, or driving truck near it	Only if wolf presents itself; no purposeful actions to attract, track, wait for, or search out wolf  Must not injure the wolf  Report to FWP within 7 days	To discourage a wolf that is frequenting an area with livestock or domestic animals as a means to decrease the risk of depredation or habituation; intent to keep wolves wary of livestock operations and areas of human activity  Acceptable on private and public land, regardless of the number of breeding pairs  No permit required; report within 7 days to FWP so FWP is aware of the potential for future incidents  FWP and WS to provide technical assistance to landowners and livestock producers to decrease risk of depredation  Applies to livestock producers, private landowners, guides/outfitters, and outdoor recreationists
<b>Intentional Harassment</b> , by private citizens, FWP, WS  (non-lethal)	Shooting rubber bullets, bean bags, or crack shells at wolves that were purposefully tracked	Could be potentially injurious, but must be non-lethal  Wolf activity persistent and poses risk to livestock, human safety	To discourage a wolf that is frequenting an area with livestock or domestic animals as a means to decrease the risk of depredation or habituation; FWP and WS to provide technical assistance  Permit required to obtain and use rubber bullets, bean bags, or cracker shells from FWP  Acceptable on private and public land, regardless of the number of breeding pairs

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<b>Killing of Wolves Caught “In the Act”</b>	<p>Private citizens, FWP, or WS shooting wolves seen actively attacking, killing, or threatening to kill livestock</p> <p>Includes federal, state, or private lands</p>	<p>Requires evidence of freshly wounded, injured, or dead livestock or other physical evident to suggest to a reasonable person that an attack was likely to occur or was imminent</p> <p>No permit is required</p> <p>Report the incident to FWP in 72 hours; carcass retained by FWP</p>	<p>MCA 87-3-130 allows a person to kill a wolf if the wolf is seen actively attacking, killing, or threatening to kill his/her livestock and includes dogs used for guarding or herding by definition of livestock; applies to livestock owners, landowners, guides/outfitters, and outdoor recreationists</p> <p>MCA does not distinguish between public and private land for defense of property; acceptable on public and private lands, regardless of the number of breeding pairs</p> <p>Wolf must be “attacking or killing” a domestic dog not used for livestock herding or guarding purposes (“threatening to kill” does not apply to hunting dogs or companion animals)</p> <p>Because wolves are relatively visible and readily scavenge, there should be physical evidence to confirm that wolves were actively chasing, molesting, testing, biting, wounding, grasping, attacking and would pose a direct and immediate threat</p> <p>NOTE: MT plan is more conservative than MCA 87-3-130 in requiring a permit for lethal take of wolves “in the act” to defend livestock on public lands regardless of the number of breeding pairs; FWP will abide by MCA</p>
<b>Killing of Problem Wolves under an FWP-issued Special Permit</b>	<p>Shooting problem wolves as part of a coordinated agency response to address confirmed livestock depredation by private citizens who are issued a special permit</p>	<p>FWP-issued permit required; maximum duration is 45 days or until canceled when agency lethal control efforts accomplished or terminated</p> <p>Report within 24 hours; carcass retained by FWP</p> <p>Wolves routinely present, pose a significant ongoing risk to livestock or dogs, additional losses likely, no unusual attractants, artificial or intentional feeding and FWP authorized agency control to remove problem wolves</p>	<p>After WS has confirmed a wolf-caused livestock depredation and FWP has authorized lethal control, a landowner could obtain a special permit which is valid under a specified set of conditions or criteria and issued as a part of a coordinated agency response; conditions determined on a case by case basis and within the scope of agency response to a particular incident; technical assistance by FWP and WS to decrease risk of future loss</p> <p>Typically covers the private land owned or leased, but could also be valid for an associated public land grazing allotment depending on circumstances; could be issued to an adjacent landowner at FWP discretion if wolves routinely present and pose an ongoing risk; permits include landowner, immediate family members, and employees</p> <p>Could be issued regardless of the number of breeding pairs, but number issued and terms more conservative if 15 or fewer breeding pairs statewide; FWP could opt to not issue a special permit valid for public land when the number of breeding pairs is 15 or fewer</p> <p>FWP-designated trappers or licensed hunter/trapper (during an open, Commission-approved season) could be used to accomplish lethal wolf control on private lands when wolf numbers above threshold</p>

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<b>Government take of problem wolves</b>	WS confirms that a wolf/wolves were responsible for injured or dead livestock	<p>Field investigation conducted by WS; requires WS to confirm physical evidence that wolf was responsible</p> <p>Agency take of problem wolves usually by WS upon direction of FWP or by FWP</p> <p>Problem wolf is a wolf that has attacked or been in the act of attacking livestock or herding / guarding animals within the past 45 days; wolf not artificially attracted, fed, or baited</p>	<p>Overall, approach is incremental -- more conservative when numbers low and becomes more liberal as numbers increase; depends on number of breeding pairs statewide, pack size, conflict history, time of year, degree of conflict, extent of livestock losses, age/size class of livestock, potential for future losses, landownership patterns, etc.</p> <p>WS control activities determined by FWP as part of coordinated agency response; other WS activities guided by FWP-WS MOU, state wolf plan, administrative rules, and state law; FWP has ultimate responsibility for disposition of wolf; lethal control for problem wolves lasts 45 days or until work completed; unless subsequent confirmed loss</p> <p>Non-lethal preferred when the number of breeding pairs is 15 or fewer, in remote backcountry settings and public lands near national parks</p> <p>Technical assistance by FWP and WS to decrease risk of future loss</p>
<b>Other Take in the course of official duties</b>	take for scientific research, human safety concerns, etc.	Carcass retained by FWP	Removal of bold or habituated wolves or wolf-like canids; abnormal physical or behavioral traits; euthanasia of sick, injured, diseased or orphaned animals by FWP, WS, local law enforcement, or other state/federal agency professionals
<b>Incidental or Accidental Take by Private Citizens</b>	Unintentional vehicle strike or incidental capture while lawfully trapping	<p>Mistaken identity is not considered accidental or incidental</p> <p>Report to FWP; carcass retained by FWP</p>	<p>Any person may take a gray wolf if the take is incidental to an otherwise lawful activity, and is accidental, unavoidable, unintentional, not resulting from negligent conduct lacking reasonable due care, and due care was exercised to avoid taking the wolf</p> <p>Trappers may incidentally catch a wolf in a trap or snare intended for other species; trappers required to release the animal if possible and report to FWP; if the animal has debilitating injuries, trapper must call FWP for assistance</p>